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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Inventor(s):</b> Clifton A. Alferness	<b>Examiner:</b> GETZOW, Scott M.
<b>Appln. No.:</b> 10/668,460	<b>Group Art Unit:</b> 3762
<b>Filing Date:</b> September 23, 2003	<b>Confirmation No.:</b> 2373
<b>Title:</b> CARDIAC REINFORCEMENT DEVICE	<b>Customer No.:</b> 25764
	<b>Docket No.</b> 59013-331610

**Mail Stop Amendment**  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

I CERTIFY THAT THIS CORRESPONDENCE IS BEING  
FACSIMILE TRANSMITTED TO THE U.S. PATENT AND  
TRADEMARK OFFICE (FAX No. (571) 273-8300), ON

JUNE 6, 2006



ELAINE RAITEN

**AMENDMENT AND RESPONSE**

This Amendment and Response is in reply to the outstanding Office Action mailed January 6, 2006, and includes the following:

1. Introductory Comments beginning on page 2 of this paper;
2. Claim Amendments beginning on page 3 of this paper; and
3. Remarks beginning on page 7.

Also enclosed are the following documents:

1. Request for Two-Month Extension of Time;
2. Credit Card Payment Form for extension of time and terminal disclaimer fees;
3. Terminal Disclaimer over pending applications; and
4. Terminal Disclaimer over patents.

Should any additional fee be required for entry of this paper, the Commissioner is authorized to charge the Faegre & Benson Deposit Account No. 06-0029 and in such event, is requested to notify us of the same.

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### **INTRODUCTORY COMMENTS**

This communication is fully responsive to the Office Action set forth above. In that Office Action, the Examiner rejected claims 28-43. Claims 28-43 are currently pending.

By this Amendment and Response, the Applicant hereby submits terminal disclaimers to obviate rejections on the ground of nonstatutory obviousness-type double patenting. Additionally, Claims 28, 35, and 36 have been amended to more particularly point out and distinctly claim the subject matter of the present invention. Reconsideration and allowance of claims 28-43 in view of these terminal disclaimers, the claim amendments, and the accompanying Remarks is respectfully requested.